

**Calendar No. 267**107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 1621****[Report No. 107-114]**

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of community members, volunteers, and workers in a disaster area.

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**IN THE SENATE OF THE UNITED STATES**

NOVEMBER 1, 2001

Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. SMITH of New Hampshire, Mr. CORZINE, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

DECEMBER 7, 2001

Reported by Mr. JEFFORDS, without amendment

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**A BILL**

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of community members, volunteers, and workers in a disaster area.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROTECTION OF HEALTH AND SAFETY OF INDI-**  
 2 **VIDUALS IN A DISASTER AREA.**

3 Title IV of the Robert T. Stafford Disaster Relief and  
 4 Emergency Assistance Act is amended by inserting after  
 5 section 408 (42 U.S.C. 5174) the following:

6 **“SEC. 409. PROTECTION OF HEALTH AND SAFETY OF INDI-**  
 7 **VIDUALS IN A DISASTER AREA.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) HARMFUL SUBSTANCE.—The term ‘harm-  
 10 ful substance’ means a substance that the President  
 11 determines may be harmful to human health.

12 “(2) PROGRAM.—The term ‘program’ means a  
 13 program described in subsection (b) carried out with  
 14 respect to a disaster area.

15 “(3) WORKER.—The term ‘worker’ includes a  
 16 first responder to a disaster, such as a police officer,  
 17 a firefighter, and an emergency medical technician.

18 “(b) PROGRAM.—If the President determines that 1  
 19 or more harmful substances are being, or have been, re-  
 20 leased in an area that the President has declared to be  
 21 a disaster area under this Act, the President may carry  
 22 out a program for the protection, assessment, monitoring,  
 23 and study of the health and safety of community members,  
 24 volunteers, and workers in the disaster area, to ensure  
 25 that—

1           “(1) the community members, volunteers, and  
2 workers are adequately informed about and pro-  
3 tected against potential health impacts of the harm-  
4 ful substance;

5           “(2) the community members, volunteers, and  
6 workers are monitored and studied over time, and  
7 receive appropriate care, for any long-term health  
8 impacts of the harmful substance; and

9           “(3) information from any such monitoring and  
10 studies is used to prevent or protect against similar  
11 health impacts from future disasters.

12       “(c) PROGRAM.—

13           “(1) IN GENERAL.—A program may include  
14 such activities as—

15           “(A) collecting and analyzing environ-  
16 mental exposure data;

17           “(B) developing and disseminating edu-  
18 cational materials to community members, vol-  
19 unteers, and workers;

20           “(C) providing the public access to current  
21 information on continuing releases of a harmful  
22 substance in the disaster area;

23           “(D) training and certifying volunteers and  
24 workers in the use of personal protection equip-  
25 ment;

1           “(E) identifying, performing baseline  
2 health assessments on, taking biological sam-  
3 ples from, and establishing an exposure registry  
4 of community members, volunteers, and work-  
5 ers exposed to a harmful substance;

6           “(F) studying the long-term health im-  
7 pacts of any exposures through epidemiological  
8 studies; and

9           “(G) providing assistance to participants  
10 in registries and studies under subparagraphs  
11 (E) and (F) in determining eligibility for health  
12 coverage and identifying appropriate health  
13 services.

14           “(2) PARTICIPATION IN REGISTRIES AND STUD-  
15 IES.—

16           “(A) IN GENERAL.—Participation in any  
17 registry or study under subparagraph (E) or  
18 (F) of paragraph (1) shall be voluntary.

19           “(B) PROTECTION OF PRIVACY.—The  
20 President shall take appropriate measures to  
21 protect the privacy of any participant in a reg-  
22 istry or study described in subparagraph (A).

23           “(3) COOPERATIVE AGREEMENTS.—The Presi-  
24 dent may carry out a program through a cooperative

1 agreement with a medical or academic institution, or  
2 a consortium of such institutions, that is—

3 “(A) located in close proximity to the dis-  
4 aster area with respect to which the program is  
5 carried out; and

6 “(B) experienced in the area of environ-  
7 mental or occupational health and safety, in-  
8 cluding experience in—

9 “(i) conducting long-term epidemio-  
10 logical studies;

11 “(ii) conducting long-term mental  
12 health studies; and

13 “(iii) establishing and maintaining en-  
14 vironmental exposure or disease registries.

15 “(d) REPORTS AND RESPONSES TO STUDIES.—

16 “(1) REPORTS.—Not later than 1 year after the  
17 date of completion of a study under subsection  
18 (c)(1)(F), the President, or the medical or academic  
19 institution or consortium of such institutions that  
20 entered into the cooperative agreement under sub-  
21 section (c)(3), shall submit to the Director, the Sec-  
22 retary of Health and Human Services, the Secretary  
23 of Labor, and the Administrator of the Environ-  
24 mental Protection Agency a report on the study.

1           “(2) CHANGES IN PROCEDURES.—To protect  
2           the health and safety of community members, volun-  
3           teers, and workers, the President shall make such  
4           changes in procedures as the President determines  
5           to be necessary based on the findings of the report  
6           submitted under paragraph (1).”.



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